

### REMARKS

Reconsideration is respectfully requested.

Substitute paper and computer readable forms of the Sequence Listing are being submitted herewith in response to the Examiner's requirement. The paper and computer readable forms of the Sequence Listing do not add new matter, and their contents are the same. It is respectfully submitted that this submission complies with 37 CFR § 1.821 et seq. Otherwise, prompt notice of any defects in the Sequence Listing is earnestly solicited and additional time is requested to comply.

The "Raw Sequence Listing" states that the information given in field <223> is insufficient explanation and asks that the source of the genetic material be given. Applicants respectfully submit that for the two artificial sequences listed in the Sequence Listing, 37 CFR § 1.823 simply requires that other relevant information be given in field <223> when Artificial Sequence is listed in field <213>. Clearly, if an organism could be listed as the source of genetic material then the organism would have been listed in field <213>. Here, "Synthetic Oligonucleotide" is used to describe the nucleotide sequences because they are oligonucleotides which have been chemically synthesized instead of being made in an organism. It is not appropriate to list an organism in field <223>. For example, the enclosed U.S. Patent No. 6,406,705 follows this convention.

Having fully responded to all of the pending objections and rejections contained in the Office Action (Paper No. 22), Applicants submit that the claims are in condition for allowance and earnestly solicit an early Notice to that effect. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Gary R. Tanigawa  
Reg. No. 43,180

1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

**APPENDIX**

**MARKED-UP VERSION TO SHOW CHANGES**

**IN THE SEQUENCE LISTING**

Substitute paper and computer readable copies of the Sequence Listing are attached.